

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INFORMATION AUTHENTICATION
AND PROTECTION OF TEXAS, LLC,

Plaintiff,

v.

SYMANTEC CORP., et al.,

Defendants.

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CIVIL ACTION NO. 2:08-cv-484-DF

JURY TRIAL DEMANDED

SECOND AMENDED DOCKET CONTROL ORDER

The Court grants the unopposed motion to amend the docket control order as follows:

STEP	ACTION	RULE	PLAINTIFF'S PROPOSED DUE DATE
1	Initial Case Management Conference	P.R. 2-1; Fed. R. Civ. P. 26(f)	September 15, 2009
2	Patentee serves Disclosure of Asserted Claims and Preliminary Infringement Contentions of a reasonable number of representative claims	P.R. 3-1	September 25, 2009
3	Patentee makes Document Production Accompanying Disclosure	P.R. 3-2	September 25, 2009
4	Initial Disclosures	Fed. R. Civ. P. 26(a)(1)	October 9, 2009
5	Accused Infringers serve Preliminary Invalidity Contentions	P.R. 3-3	December 2, 2009
6	Accused Infringers make Document Production Accompanying Preliminary Invalidity Contentions	P.R. 3-4	December 2, 2009
7	Patentee shall limit the number of asserted claims to no more than ten (10) and notify the accused infringers and the Court		June 16, 2010

STEP	ACTION	RULE	PLAINTIFF'S PROPOSED DUE DATE
8	All parties make Exchange of Proposed Terms and Claim Elements for Construction	P.R. 4-1(a)	May 28, 2010
9	All parties meet and confer to discuss list of Proposed Terms and Claim Elements for Construction		June 18, 2010
10	All parties make Exchange of Preliminary Claim Constructions and Extrinsic Evidence	P.R. 4-2	June 25, 2010
11	All parties meet and confer to discuss Preliminary Claim Constructions and Extrinsic Evidence	P.R. 4-2(c)	July 9, 2010
12	All parties jointly file Joint Claim Construction and Prehearing Statement	P.R. 4-3	July 30, 2010
13	Deadline to join other parties without leave of Court, which shall be at least 60 days before the deadline for filing dispositive motions		January 29, 2010
14	Deadline to file amended pleadings without leave of Court, which shall be at least 30 days before the deadline for filing dispositive motions		June 30, 2010
15	Completion of Claim Construction Discovery	P.R. 4-4	August 17, 2010
16	Patentee files opening claim construction brief	P.R. 4-5(a)	September 9, 2010
17	Accused infringers file responsive claim construction brief	P.R. 4-5(b)	September 30, 2010
18	Patentee files reply brief on claim construction	P.R. 4-5(c)	October 8, 2010
19	ONLY WITH LEAVE OF COURT Accused infringer files sur-		October 15, 2010

STEP	ACTION	RULE	PLAINTIFF'S PROPOSED DUE DATE
	reply brief on claim construction		
20	Parties file Joint Claim Construction Chart	P.R. 4-5(d)	November 11, 2010
21	Pre-hearing Conference and technical tutorial if necessary		December 8, 2010 @ 2:00
22	Claim Construction Hearing	P.R. 4-6	December 9, 2010 at 9:00 a.m. in Texarkana
23	Court's Claim Construction Ruling		Subject to the Court's scheduling and/or use of a technical advisor
24	Patentee makes Final Infringement Contentions	P.R. 3-6(a)	30 days after claim construction ruling
25	Accused Infringer makes Preliminary Unenforceability Contentions and Accompanying Document Production		40 days after claim construction ruling
26	Accused Infringer makes Final Invalidity Contentions	P.R. 3-6(b)	50 days after claim construction ruling
27	Accused Infringer makes disclosure relating to willfulness	P.R. 3-8	50 days after claim construction ruling
28	Accused Infringer makes Final Unenforceability Contentions and Document Production Accompanying Final Unenforceability Contentions		60 days after claim construction ruling
29	Deadline for completion of all fact discovery, which shall be at least 90 days before the final pre-trial conference		On or about 80 days after claim construction ruling
30	Deadline for disclosure of expert testimony on issues for which a party bears the burden of proof	Fed. R. Civ. P. 26(a)(2); L.R. CV-26(b)	90 days after claim construction ruling
31	Deadline for disclosure of rebuttal expert testimony	Fed. R. Civ. P. 26(a)(2); L.R. CV-26(b)	110 days after claim construction ruling
32	Deadline for late mediation		May 27, 2011

STEP	ACTION	RULE	PLAINTIFF'S PROPOSED DUE DATE
	at the Parties' request		
33	Deadline for completion of expert discovery		30 days after rebuttal expert testimony
34	Deadline for objections to other parties' expert witnesses		40 days after rebuttal expert testimony
35	Deadline for filing dispositive motions, including motions on invalidity and unenforceability, which shall be at least 75 days before the initial pretrial conference		June 3, 2011
36	Deadline for filing all <i>Daubert</i> motions		June 3, 2011
37	Deadline for parties to make pretrial disclosures	Fed. R. Civ. P. 26(a)(3)	August 5, 2011
38	Patentee to provide to other parties its information for Joint Final Pretrial Order, Proposed Jury Instruction and Verdict Form		August 5, 2011
39	Defendants to Provide to Patentee their information for Joint Final Pretrial Order, Proposed Jury Instruction and Verdict Form		August 19, 2011
40	Parties to file Proposed Joint Final Pretrial Order, Proposed Jury Instructions, Joint Verdict Forms, and Motions in Limine. Prior to initial pretrial conference, parties shall confer with each other regarding the other party's Motion in Limine, deposition designations, and exhibits and shall submit to the Court in writing any objections they may have to the other		August 26, 2011

STEP	ACTION	RULE	PLAINTIFF'S PROPOSED DUE DATE
	party's Motions in Limine, deposition designations, and exhibits.		
41	Initial Pretrial Conference and hearing on Motions in Limine if required and hearing on objections to deposition designations and exhibits		Court will set at a later date.
42	Final Pretrial Conference before Judge David Folsom		October 3, 2011
43	Jury Selection before Judge David Folsom		October 4, 2011

SIGNED this 9th day of March, 2010.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE